EXHIBIT 8

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1	UNITED STATES DI	STRICT COURT
	NORTHERN DISTRICT	OF CALIFORNIA
2		
3	GOOGLE LLC,)
4	PLAINTIFF,)
5	VS.) Case No.
6	SONOS, INC.,) 3:20-cv-06754-
7	DEFENDANT.) WHA
8)
9	SONOS, INC.,)
10	PLAINTIFF,)
11	VS.) 3:21-CV-07559-
12	GOOGLE, LLC,) WHA
13	DEFENDANT.)
14)
15	CONFIDE	ENTIAL
16		
17	(THIS TRANSCRIPT HAS	BEEN DESIGNATED
18	HIGHLY CONFIDENTIAL PURSUA	NT TO PROTECTIVE ORDER)
19		
20	ZOOM VIDEOTAPED D	DEPOSITION OF
21	DAVID NIC	CHOLSON
22	THURSDAY, APRI	L 21, 2022
23		
24	JOB NO. 5193787	
25	REPORTED BY: D'ANNE MOUNGEY, C	SR 7872
		Page 1

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1	DEPOSITION OF DAVID NICHOLSON, TAKEN ON BEHALF OF SONOS AT
2	SAN FRANCISCO, CALIFORNIA, COMMENCING AT 9:04 A.M. ON
3	THURSDAY, APRIL 21, 2022, BEFORE D'ANNE MOUNGEY, CSR 7872.
4	
5	APPEARANCES OF COUNSEL:
6	
7	FOR SONOS, INC.:
8	LEE SULLIVAN SHEA & SMITH, LLP
9	BY: JAE PAK, ESQ.
10	MICHAEL BOYEA, ESQ.
	656 W RANDOLPH STREET
11	SUITE 5W
12	CHICAGO, ILLINOIS 60661
	1-312-754-9602
13	LEE@LS3IP.COM
14	
15	FOR GOOGLE, LLC:
16	QUINN EMANUEL URQUHART & SULLIVAN, LLP
17	BY: MARC KAPLAN, ESQ.
18	50 CALIFORNIA STREET
19	22ND FLOOR
20	SAN FRANCISCO, CALIFORNIA 94111
	415.875.6600
21	MARCKAPLAN@QUINNEMANUEL.COM
22	
23	ALSO PRESENT:
24	DEMARRON BERKLEY, IN-HOUSE GOOGLE COUNSEL
25	DAVID WEST, VIDEOGRAPHER
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1	SAN FRANCISCO, CALIFORNIA	
2	THURSDAY, APRIL 21, 2022; 9:04 A.M.	
3		
4		
5	THE VIDEOGRAPHER: Good morning. We're on	09:04:12
6	the record. The time is 9:04 a.m. and the date	
7	today is April 21, 2022.	
8	Please note the microphones are sensitive	
9	and may pick up whispering and private	
10	conversations.	09:04:35
11	Audio and video recording will continue to	
12	take place unless all parties agree to go off the	
13	record.	
14	This is media unit 1 of the video recorded	
15	deposition of David Nicholson, taken by counsel for	09:04:46
16	Sonos, Inc. in the matter of "Sonos, Inc. Versus	
17	Google, LLC and Google, LLC versus Sonos, Inc.,"	
18	filed in the United States District Court for the	
19	Northern District of California. The case number is	
20	3:21-cv-07559-WHA and 3:21-cv06754-WHA.	09:05:03
21	The deposition is being conducted using	
22	remote counsel technology and all participants are	
23	attending remotely.	
24	My name is David West. I am the	
25	videographer. The court reporter is D'Anne Moungey.	09:05:24
		Page 4

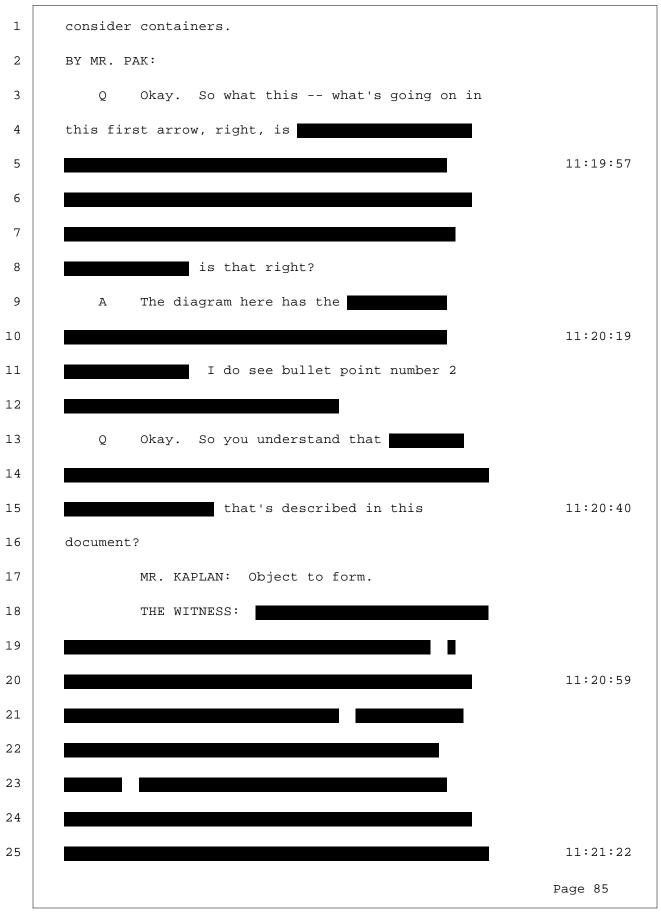
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1	We represent Veritext Legal Solutions. I'm not	
2	related to any party in this action, nor am I	
3	financially interested in the outcome.	
4	Counsel will now state their appearance and	
5	affiliations for the record. If there are any	09:05:39
6	objections to proceeding, please state them at the	
7	time of your appearance, beginning with the noticing	
8	attorney.	
9	MR. PAK: This is Jae Pak from the law firm	
10	of Lee Sullivan Shea & Smith representing Sonos,	09:05:51
11	Inc. And today I have with me also Michael Boyea,	
12	also from Lee Sullivan Shea & Smith, representing	
13	Sonos.	
14	MR. KAPLAN: This is Marc Kaplan from Quinn	
15	Emanuel Urquhart & Sullivan on behalf of Google and	09:06:08
16	the witness. With me today is Demarron Berkley from	
17	Google.	
18	THE VIDEOGRAPHER: Thank you.	
19	The court reporter may now swear the	
20	witness in and we will continue.	09:06:22
21	///	
22	///	
23	///	
24		
25		09:06:38
		Page 5

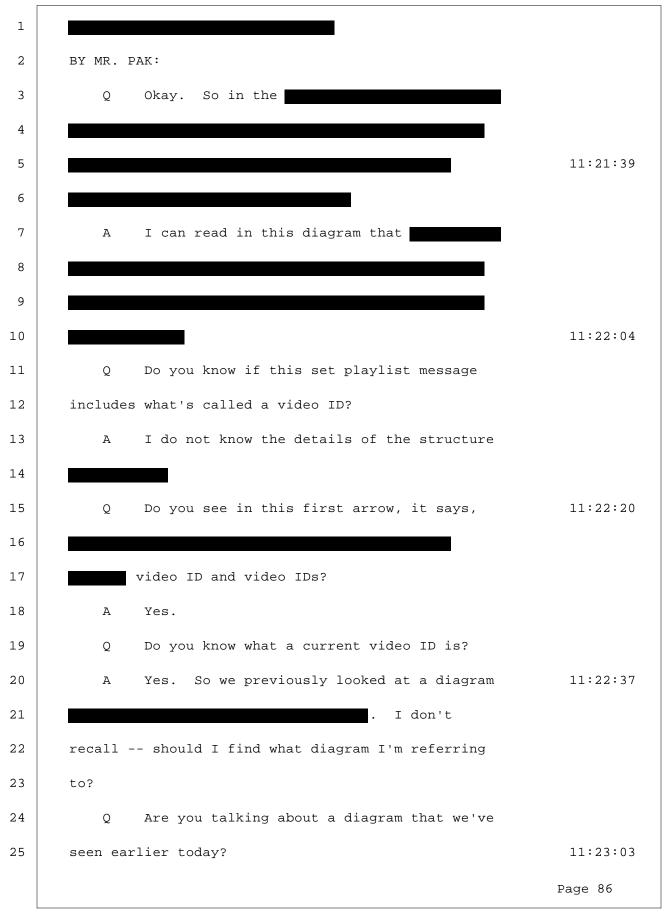
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1	DAVID NICHOLSON,	
2	having been first duly sworn by the reporter,	
3	was examined and testified as follows:	
4		
5	THE VIDEOGRAPHER: Please continue.	09:06:40
6		
7	EXAMINATION	
8	BY MR. PAK:	
9	Q Mr. Nicholson, could you please state and	
10	spell your name for the record.	09:06:44
11	A David John Nicholson. It's D-A-V-I-D,	
12	J-O-H-N, N-I-C-H-O-L-S-O-N.	
13	Q What is your current home address?	
14	A	
15	·	09:07:14
16	Q Are you at home right now?	
17	A Yes.	
18	Q Have you been deposed before?	
19	A Nope.	
20	Q Other than a deposition, have you ever	09:07:33
21	given sworn testimony?	
22	A No.	
23	Q Just so we're on the same page, I'm going	
24	to run through some general procedures for this	
25	deposition. And since this is your first time, I'm	09:07:49
		Page 6

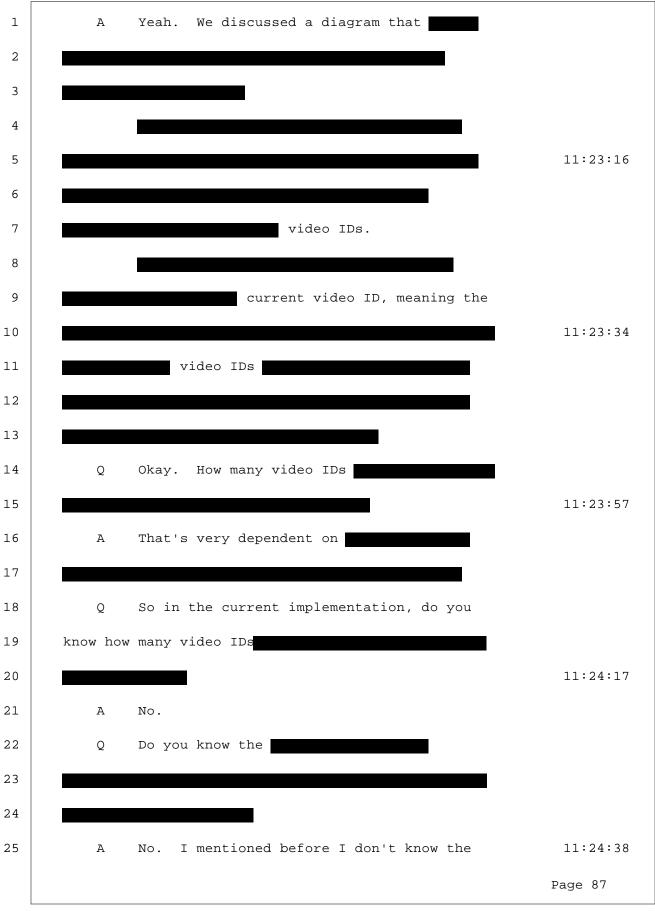
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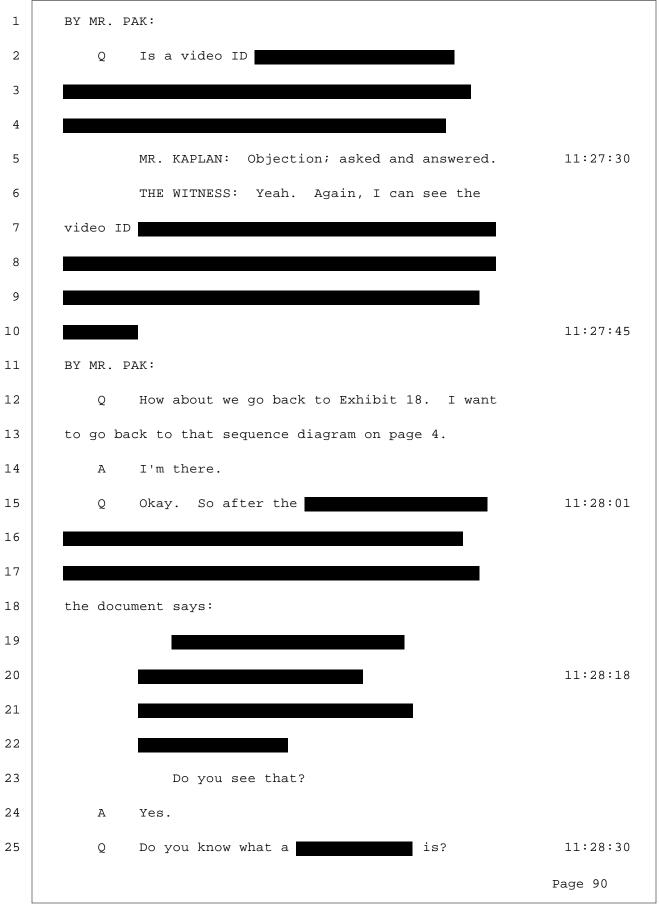
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-			
1			
2			
3			
4			
5		MR. PAK: How about I introduce a new	11:24:57
6	document	here. Give me one second.	
7		It's going to be labeled Exhibit 19. And	
8	for the 1	record, it's Bates labeled what the Bates	
9	beginning	g ending in 37243.	
10		(Whereupon, Sonos Exhibit 19 was	11:25:20
11		marked for identification by the	
12		Court Reporter.)	
13		MR. PAK: Let me know when you have that	
14	open.		
15		THE WITNESS: Yeah, I have it open.	11:25:25
16	BY MR. PA	AK:	
17	Q	Okay. So do you recognize this document?	
18	A	Yes.	
19	Q	This is a document that you wrote before?	
20	A	I'm not the original author, but I have	11:25:39
21	contribut	ted to it.	
22	Q	Is this document up to date?	
23	A	I don't know.	
24	Q	Okay. I want to go to page 16 of the	
25	document	and there's a header that says,	11:26:04
			Page 88

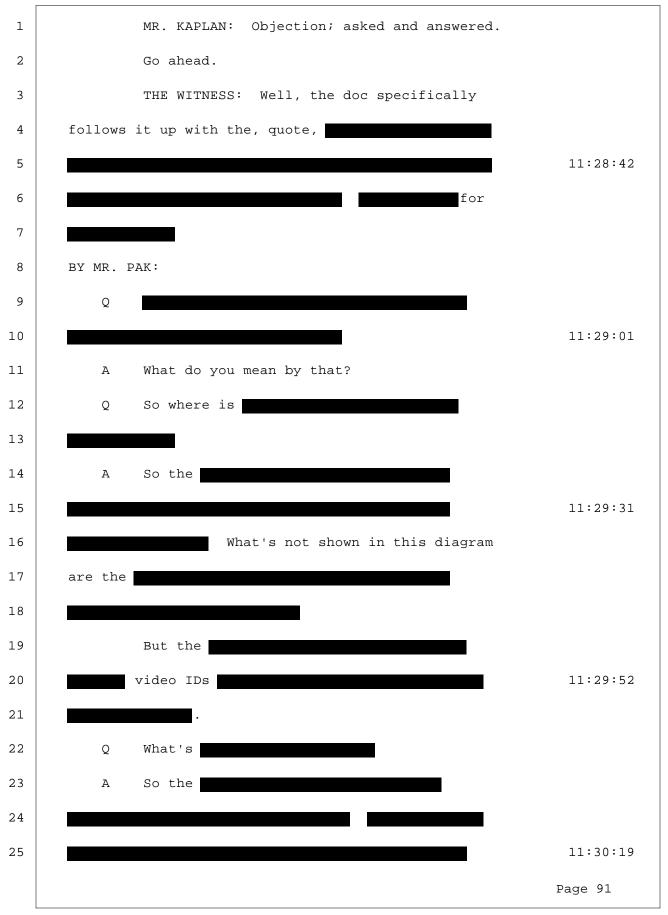
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1			
2		Do you see that?	
3	А	Yep.	
4	Q	Underneath there's a set playlist message.	
5		Do you see that?	11:26:20
6	А	Yep.	
7	Q	And under that,	
8		video ID,	
9			
10		Do you see that?	11:26:36
11	А	Yep.	
12	Q	Are these	
13			
14			
15		MR. KAPLAN: Objection; asked and answered,	11:26:48
16	calls fo	or speculation.	
17		THE WITNESS: So, again, I don't know the	
18	full str	ructure of the API. I think this doc is	
19	supposed	d to give some of the fields. I don't know	
20	if this	is supposed to be all of the fields, and	11:27:04
21	there's	examples and a description.	
22		I could read these fields off and I don't	
23	know if	this is up to date or if this is the full or	
24	complete	e API. I don't know.	
25	///		11:27:18
			Page 89

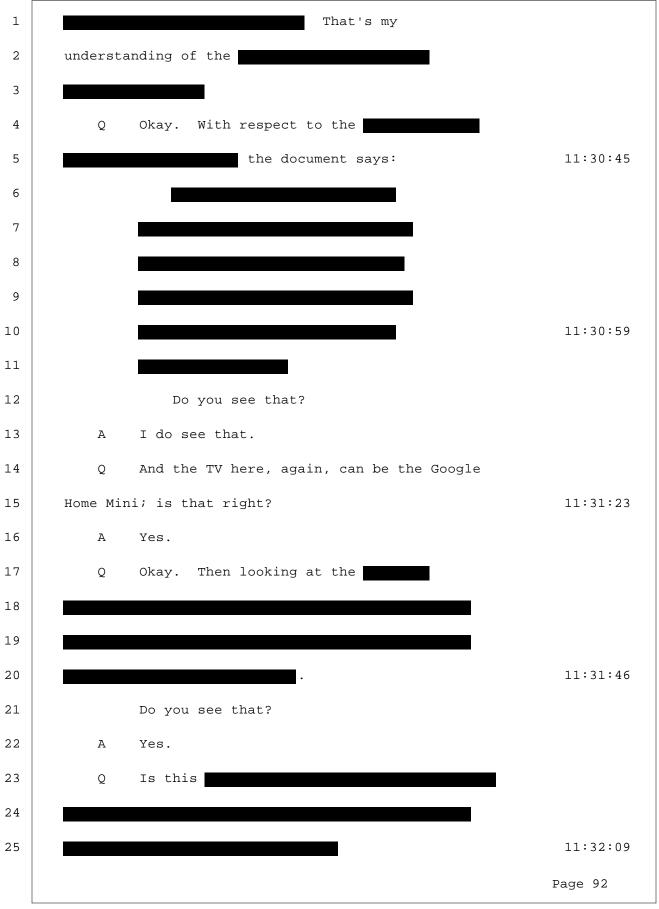
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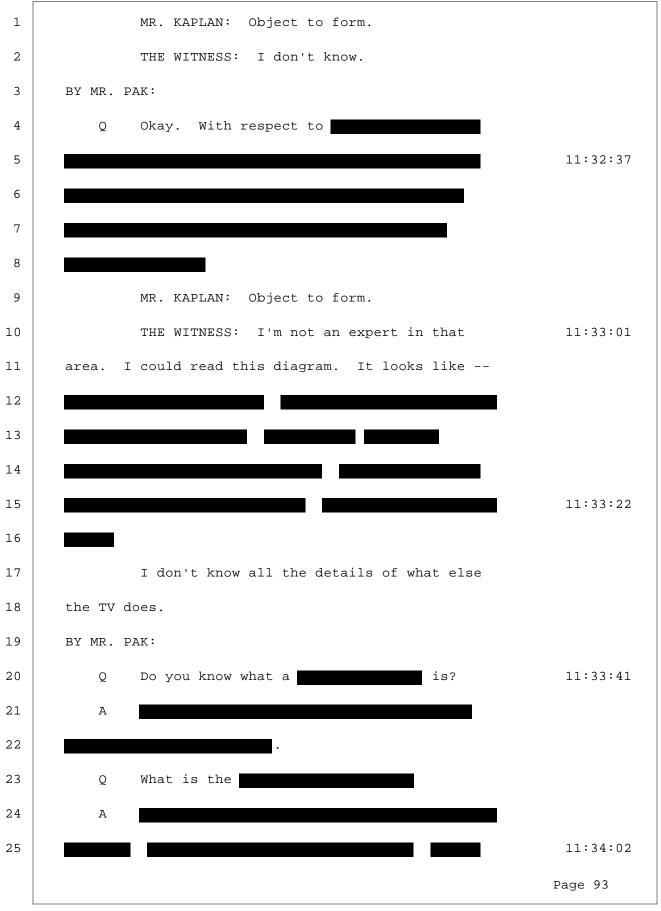
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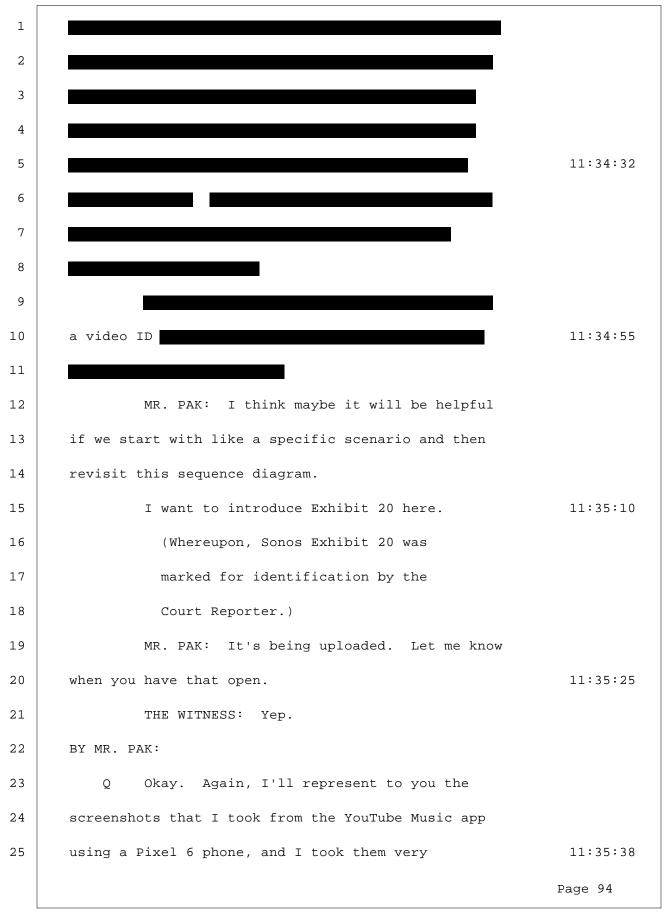
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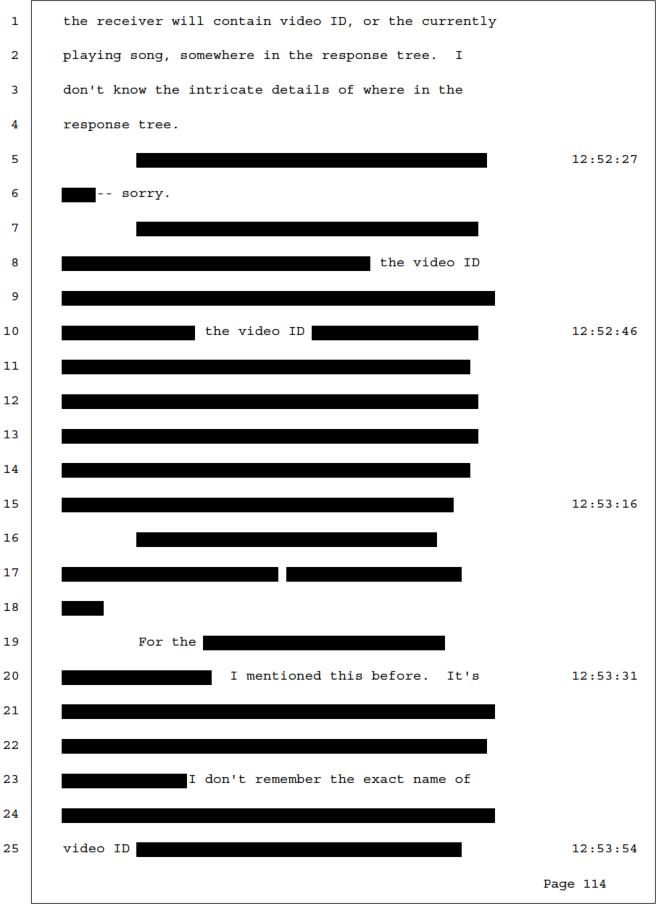
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1		
2		
3	MR. KAPLAN: Object to form, incomplete	
4	hypothetical, vague.	
5	THE WITNESS:	12:50:45
6		
7		
8		
9	BY MR. PAK:	
10	Q Does the receiver have to know what the	12:51:06
11	next song is?	
12	A Can you clarify the question?	
13	Can you clarify the question?	
14	Q Yeah.	
15	So in this hypothetical where you have	12:51:20
16	three songs in the expand up next tab, right, the	
17	song in the casting session in the casting state,	
18	what information does a receiver need to know in	
19	order to play the currently playing song but also	
20	know that it has to play the next song after that	12:51:45
21	currently playing song?	
22	MR. KAPLAN: Object to form, calls for	
23	narrative, vague.	
24	THE WITNESS: I'll try to give an answer.	
25	So the Watch Next response is returned to	12:52:04
		Page 113

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1		
2	And when that happens,	
3		
4	video ID,	
5		12:54:10
6		
7		
8	BY MR. PAK:	
9	Q Now, does the receiver store the video IDs?	
10	A What do you mean by "store the video IDs"?	12:54:30
11	Q Does the receiver store the video IDs	
12	locally within memory?	
13	MR. KAPLAN: Object to form, vague.	
14	THE WITNESS: Yeah. I mean, the	
15	responses the receiver receives the Watch Next	12:54:49
16	response and that response contains video IDs. I	
17	think by definition, those video IDs are somewhere	
18	in memory.	
19	MR. PAK: I'm going to introduce another	
20	doc here. I'll try to find it here.	12:55:13
21	It's going to be Exhibit 22. And for the	
22	record, it's Bates labeled Bates number ending in	
23	51490.	
24	///	
25	///	12:55:41
		Page 115

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1	STATE OF CALIFORNIA)
2	COUNTY OF LOS ANGELES) ss.
3	
4	I, D'Anne Moungey, C.S.R. No. 7872 in and
5	for the State of California, do hereby certify:
6	That prior to being examined, the witness
7	named in the foregoing deposition was by me duly
8	sworn to testify to the truth, the whole truth, and
9	nothing but the truth;
10	That said deposition was taken down by me
11	in shorthand at the time and place therein named and
12	thereafter reduced to typewriting under my
13	direction, and the same is a true, correct, and
14	complete transcript of said proceedings;
15	That if the foregoing pertains to the
16	original transcript of a deposition in a Federal
17	Case, before completion of the proceedings, review
18	of the transcript $\{\ \}$ was $\{\ \}$ was not required.
19	I further certify that I am not interested
20	in the event of the action.
21	Witness my hand this 26th day of April, 2022
22	
23	Lane Maingry
24	D'ANNE MOUNGEY, CSR No. 7872
25	For the State of California
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